



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF PLUMBING &amp; HVACR EXAMINERS</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, March 13, 2012 at 8:30 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon
<b>MINUTES APPROVED:</b>	April 10, 2012

**MEMBERS PRESENT**

Jerome Todd, Professional Member, President  
Dean Sherman, Professional Member, Vice President  
Carol Guilbert, Public Member, Secretary  
Charles Robbins, Professional Member  
Frank Beebe, Professional Member  
John Brady, Public Member  
James Anderson, Public Member

**MEMBERS ABSENT**

Gerard Pepeta, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

James Collins, Deputy Secretary of State  
J. Kay Warren, Deputy Director  
Danny Stevenson, Deputy Attorney General  
Shelly Ide, Administrative Specialist II

**OTHERS PRESENT**

Charles W. Baugher, Jr.  
John Feltwater  
Richard Williams  
Todd Ratledge  
Todd Burger  
Ming Lau  
Rick Duncan  
Chuck Davidson  
Robert Briccotto, Jr.  
James Permelia

**CALL TO ORDER**

Mr. Todd called the meeting to order at 8:52am

Mr. Todd amended the agenda to begin with 5.7 Discussion with Delaware Rural Water Association (DRWA). Mr. Duncan, of DRWA, came to the table to explain to the Board that DRWA's backflow course has received national recognition and accreditation from the American Society of Sanitary Engineering (ASSE). This course is designed to provide students a national certification for obtaining a certified backflow assembly tester status. Members of the Board and the public expressed their concerns. Mr. Baugher, Mr. Williams, Mr. Feltwater, Mr. Ratledge & Mr. Burger all urged the Board to not require a State plumbing license in order for them to perform the backflow testing services. The Board expressed their concern that although these gentlemen are certified as backflow testers, they are not licensed plumbers, and therefore should not be performing plumbing services. This should be done by a licensed plumber or under the supervision of a licensed plumber. Mr. Stevenson stated that the State Board doesn't have the standard on how the services are done, but does regulate who can perform these services. Dr. Lau, of DPH, remarked that DPH supports and will follow the Board's guidelines/rules. Mr. Collins summarized the conversations stating that the State of Delaware Business license is for tax purposes, it's not to determine competency. He also gave options to the irrigation professionals that the Board could look into regulating irrigation installers or they could take their concerns & issues directly to their legislators. But in order to install or test backflow devices, one must be licensed as a Master Plumber or supervised by a Master Plumber.

All parties felt that this topic needs further discussion & the irrigation occupations need to become a regulated profession.

### **REVIEW OF MINUTES**

A motion was made by Mr. Beebe, seconded by Ms. Guilbert, to approve the February 14, 2012, meeting minutes. Mr. Brady abstained; otherwise, the motion carried unanimously.

### **UNFINISHED BUSINESS**

#### **Re-Review of Application**

A motion was made by Mr. Brady, seconded by Mr. Sherman, to approve the applications of Jeffrey McGinnis, HVACR Restricted and Carl Rifino, Master Plumber. The motion carried unanimously.

### **NEW BUSINESS**

#### **Review of Examination Applications**

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to table the application of Gary Gray, Master HVACR, for confirmation of his apprentice training completion date. The motion carried unanimously.

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to table the application of Wayne Hutchinson, Master HVACR Restricted, for detailed descriptions of his job duties. The motion carried unanimously.

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to table the application of Henry Miller, Master HVACR Restricted, for documentation showing completion of two years of post-apprenticeship HVACR experience and submitted proof of at least two years work experience under a master licensee's supervision. The motion carried unanimously.

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to table the application of Jason Graybill, Master Plumber, for Tax form W-2 for 7 years of plumbing experience and a notarized letter to the Board confirming employment under the supervision of a licensed plumber. The motion carried unanimously.

#### Ratification of Applications

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to approve the Master HVACR Restricted applications of James Haselman and Terry McCracken, the Master HVACR applications of Joseph Taylor, Shane Donahue, and Robert Clothier, and the Master Plumber applications of, Stephen Roberson, John Gerkey, Timothy Barnard, Ralph Smith, David Brinton, Shane Donahue, and Robert Clothier. The motion carried unanimously.

#### Review of State Requirements – Not Substantially Similar

Mr. Robbins reviewed the Plumbing requirements for Virginia. Virginia's requirements are less than those of Delaware and therefore, remain not substantially similar to Delaware.

#### City of Wilmington

Mr. Todd & Mr. Stevenson briefly discussed the City of Wilmington's testing process. It appears their test is permissible.

#### Complaint Status

34-04-10	Assigned to Board
34-07-10	Open
34-08-10	Open
34-09-10	Open
34-01-11	Open
34-02-11	Open
34-03-11	Assigned to Hearing Officer
34-04-11	Open
34-05-11	Open
34-01-12	Open

#### Passing Examination Results

The Board reviewed the examination results that showed out of 9 candidates, 5 had passing scores. Those who passed were: David Brinton-Master Plumber, Shawn Sullivan-HVACR Restricted (Refrigeration), Shawn Sullivan, HVACR-Restricted (Heating), Robert Clothier-Master HVACR, and Shane Donahue-Master HVACR.

#### Review of Application – Danny Stevenson

A motion was made by Mr. Brady seconded by Ms. Guilbert, to approve the HVACR Restricted application of Thomas Raiber. The motion carried unanimously.

#### **CORRESPONDENCE**

None

#### **OTHER BUSINESS BEFORE THE BOARD** (for discussion only)

None

### **PUBLIC COMMENT**

Mr. Briccotto asked where the Board stood on licensees having to list their name & license numbers on their work trucks. Mr. Beebe found the verbiage in the Plumbing Code 2012 amendments DAG changes which states:

2.10 Amend **Subsection 108.1** by deleting the subsection in its entirety and by inserting in lieu thereof the following:  
"It shall be unlawful for any person to work as a licensed plumber in the State of Delaware unless such person has received a license from the Delaware Department of Administrative Services, Division of Professional Regulation, showing that said person has been duly licensed as a plumber, except as provided by Title 24, Section 1807(c) of the **Delaware Code**, and has a permit issued by the Delaware Division of Public Health. Licensed Plumbers shall display their DE master plumber license number on all company vehicles. The lettering shall be 3 inches high and shall be of a contrasting color of the vehicle to which it is affixed.

This verbiage is not currently in the State's Rules & Regulations or License Law.

### **NEXT SCHEDULED MEETING**

The next meeting will be held on April 10, 2012, at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

### **ADJOURNMENT**

A motion was made by Mr. Brady, seconded by Mr. Robbins, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 10:55 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Ide".

Shelly Ide  
Administrative Specialist II